IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

WEDNESDAY, THE 9TH AUGUST 2006 / 18TH SRAVANA 1928

Bail Appl..No. 4834 of 2006

CP.47/2006 of J.M.F.C.-I,KOZHIKODE
CRIME NO.46/2003 OF CHELANNUR EXCISE RANGE

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PETITIONER/ACCUSED

SANTHA, W/O.BALAKRISHNAN NAIR,
ADUKKATH HOUSE,
KURUVATTOOR AMSOM, PULLALUR DESOM,
KOZHIKODE.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS: COMPLAINANT AND STATE

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1. EXCISE RANGE,
CHELANNUR.

2. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09/08/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 4834/2006

DATED THIS THE 9TH DAY OF AUGUST, 2006

O R D E R

The petitioner is accused, in C.R.No.46/2003 of Excise Range, Chelannur. She was found in illegal possession of 1.5 liters of illicit arrack. Therefore, she is arrayed as accused. However she could not be arrested because of the want of police. She remains absconding.

2. The investigation is complete and the matter is now pending as C.P.No.47/2006 on the file of the Judicial Magistrate of First Class-I, Kozhikode. Hence this application, under Section 438 Cr.P.C.

3. After hearing both sides and considering the materials on record, I direct the petitioner to appear before the Judicial Magistrate of First Class-I, Kozhikode, on 14.8.2006 at 11.00 a.m., and move an application for bail. The learned Magistrate shall allow the petitioner to be on bail, imposing such conditions as

are deemed necessary, considering the injuries, which she had sustained in a road traffic accident, for which she was admitted and treated in the Medical College hospital, Kozhikode, from 20.4.2006 to 27.4.2006.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs